United Nations A/C.1/59/PV.17

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Official Records

First Committee
17th meeting
Tuesday, 26 October 2004, 3 p.m.
New York

Chairman: Mr. De Alba ..... (Mexico)

The meeting was called to order at 3.30 p.m.

Agenda items 57 to 72 (*continued*)

Action on all draft resolutions and decisions submitted under all disarmament and international security agenda items

The Chairman (*spoke in Spanish*): Before beginning our third stage, decision taking, I give the floor to Under-Secretary-General Abe, who has an announcement to make.

Mr. Abe (Under-Secretary-General for Disarmament Affairs): I wish to call attention to the report of the Advisory Board on Disarmament Matters to the Secretary-General, which has just been published in booklet form; copies have been distributed in the Conference Room. It is the product of the work of the Advisory Board, chaired by Mr. Harald Müller, and it addresses a number of recommendations to the Secretary-General's High-Level Panel on Threats, Challenges and Change. The Panel will of course be addressing questions of international security, especially in relation to disarmament and non-proliferation, and the Advisory Board therefore considered it appropriate to offer its thoughts and advice to the Secretary-General and, through him, to the High-Level Panel. The booklet contains a list of the members of the Advisory Board, so readers can see who worked on the report.

The report makes interesting reading, and I hope that members will have time to study it.

The Chairman (*spoke in Spanish*): The Committee will now take action on draft resolutions listed in informal working paper 1 circulated yesterday, starting with cluster 1, "Nuclear weapons". After having taken action on the draft resolutions and draft decisions in cluster 1, the Committee will proceed to act on those contained in cluster 2 and so forth.

Allow me first to recall that delegations will be invited to take the floor to make general comments or to explain their positions only at the beginning of the consideration of a thematic cluster and subsequently to offer explanations of vote or position only when we have taken action on all draft resolutions and draft decisions under that cluster. We will thus not be able to interrupt the voting process between draft resolutions for statements of that kind.

I would also like to remind delegations that sponsors of draft resolutions may make general statements at the beginning of a cluster, as I indicated, but may not speak in explanation of vote or position.

On that understanding, we shall now begin our consideration of cluster 1, "Nuclear weapons".

Let me first inform the Committee that the sponsors of draft resolution A/C.1/59/L.56 have asked that it not be considered at this meeting.

It is also my understanding that amendments will be proposed to draft resolution A/C.1/59/L.50. In that connection, may I take it that the Committee wishes to consider oral amendments to draft resolution A/C.1/59/L.50 and to take action on it today, without a

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24-hour delay for the proposed amendments to be put into writing and translated?

It was so decided.

The Chairman (*spoke in Spanish*): We shall thus return to draft resolution A/C.1/59/L.50 later in the meeting.

Mr. Gala López (Cuba) (*spoke in Spanish*): My delegation would like to make a brief general comment on cluster 1, "Nuclear weapons". A number of the draft resolutions under this cluster make reference to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco). In that connection, we would like to stress that Cuba rejects the selective application of the NPT, taking the view that issues linked to nuclear disarmament and the peaceful use of nuclear energy cannot go on being relegated to the back burner while special attention is devoted to horizontal non-proliferation. The Cuban Government, over time, has taken additional steps that clearly reflect Cuba's decision to comply expeditiously with all its obligations as a State party to both these treaties. My delegation made detailed reference to this issue when we spoke in the general debate of this Committee.

As regards votes on texts under this particular cluster, my delegation reaffirms that we will continue, on a case by case basis, evaluating how we will vote, mindful of the overall balance within each draft resolution, and acting on the premise that, for Cuba, achieving complete nuclear disarmament under a strict and effective international verification system is the top priority with regard to disarmament.

Mr. Rivasseau (France) (*spoke in French*): I am taking the floor on behalf of France, the United Kingdom and the United States to make a brief comment. Draft decision A/C.1/59/L.15 relates to a subject that is also taken up in draft resolution A/C.1/59/L.41. For the sake of efficiency, we will wait to present our substantive comments on this subject until our consideration of draft resolution A/C.1/59/L.41.

Mr. Abushahab (United Arab Emirates): The progress achieved by the international community in the disarmament of nuclear weapons and the promotion of the peaceful uses of nuclear technologies has not met expectations. The issue of nuclear disarmament continues to be the primary concern of this Committee, especially since some nuclear States continue to maintain their nuclear facilities and arsenals and to improve the transport methods of those weapons. Furthermore, since the end of the cold war, other countries, on the pretext of national defence requirements have striven to acquire, manufacture, develop and carry out experiments on those weapons.

The United Arab Emirates has closely followed the increasing gap between the nuclear-weapon States, which strive to develop their nuclear arsenals, and the non-nuclear-weapon States, which call for dismantling nuclear weapons and using these technologies for peaceful purposes. The United Arab Emirates is deeply concerned about the non-compliance of some countries with the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which represents the cornerstone of international efforts aimed at promoting universal disarmament of strategic weapons and strengthening vertical and horizontal systems of non-proliferation.

The United Arab Emirates attaches great importance to regional and global efforts aimed at strengthening the disarmament and NPT regimes as a strategy for peace, security and confidence-building. We renew our call to the international community for its active participation in establishing a zone free of all weapons of mass destruction, including nuclear weapons, in the Middle East and the Arabian Gulf.

In that context, we urge Member States to take effective measures to compel Israel, the sole country in the Middle East that has not acceded to the NPT, to immediately do so and to dismantle its dangerous nuclear facilities after fully subjecting them to the supervision and safeguards of the International Atomic Energy Agency. We also appeal to other States of the region that are pursuing nuclear testing or the acquisition of similar weapons to reconsider their position, pursuant to the relevant legitimate international resolutions.

The United Arab Emirates' sponsorship of the draft resolutions on nuclear danger and the establishment of a nuclear-weapon-free zone in the Middle East reflects its strong belief that peace, security, stability and sustainable development are legitimate rights of all peoples and States without exception.

To achieve the goals of complete disarmament, all Member States must comply with the international

legislation adopted in that regard, in order to promote the principles of confidence-building, peaceful coexistence and good neighbourliness. To that end, the United Arab Emirates urges all members of the Committee to support the two draft resolutions on "Establishment of a nuclear-weapon-free zone in the region of the Middle East" and "The risk of nuclear proliferation in the Middle East", contained in documents A/C.1/59/L.8 and A/C.1/59/L.37 respectively, for they address the alarming situation in the Middle East and contribute to the global efforts aimed at achieving complete disarmament in order to avoid the scourge of war and the destruction of mankind.

The Chairman (*spoke in Spanish*): I call now on those representatives wishing to speak in explanation of vote or position before the Committee takes action on draft resolutions and draft decisions under cluster 1, with the exception of: draft resolutions A/C.1/59/L.6/Rev.1 — with respect to which a statement by the Secretariat is in preparation — and A/C.1/59/L.50, to which we will return later in this meeting; and draft resolution A/C.1/59/L.56, action upon which has been deferred at the request of the sponsors.

Mr. Bar (Israel): Israel will join the consensus on draft resolution A/C.1/59/L.8, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East", as it has done on similar texts for more than 20 years, notwithstanding substantive and important reservations regarding certain elements in the draft resolution.

The policy of Israel has always maintained that the nuclear issue, as well as all regional security issues, conventional and non-conventional, should be dealt with in the context of the peace process. Israel supports the eventual establishment of a mutually verifiable nuclear-weapon-free zone in the Middle East that should also be free of chemical and biological weapons as well as ballistic missiles.

Israel believes that the political realities in the Middle East mandate a practical step-by-step approach that should begin with modest confidence-building measures, followed by the establishment of peaceful relations and reconciliation and possibly complemented by conventional and non-conventional arms control measures. That process could eventually lead to the attainment of more ambitious goals, such as establishing a nuclear-weapon-free zone.

As the international community has recognized, the establishment of a nuclear-weapon-free zone should be based on arrangements freely arrived at among all the States in the region concerned. Israel believes that such a zone can only be established through direct negotiations among the States in the region, after they have recognized one another and have established full peaceful and diplomatic relations among themselves. It cannot be established in a situation where some of the States maintain that they are in a state of war with each other and refuse in principle to maintain peaceful relations with Israel or even to recognize its right to exist.

In that context, it should be recalled that in the Middle East, unlike in other regions in the world where nuclear-weapon-free zones have been established, there are continuing threats, in the region and beyond, against the very existence of one State, Israel. Those threats are multiplied by the reckless behaviour of some States concerning the export of weapons of mass destruction and related technologies, and the discrepancies between the commitments of those States and their actual behaviour.

Those circumstances and the acknowledged record of non-compliance with international obligations by certain States have a critical impact on the region's ability to embark on a joint process of regional security and security-building that could eventually lead to a nuclear-weapon-free zone in the Middle East.

Israel has recently reiterated its vision of promoting a regional peace and stability that should facilitate, among other things, the eventual establishment of a Middle East nuclear-weapon-free zone. At the same time, Israel has made it clear that it harbours no illusions that progress towards realizing that vision can be made without a fundamental change in regional circumstances, not least in the attitude of States in the region towards Israel. We thus propose that our current efforts be directed at learning from the experience of other regions about the prerequisites for making progress in this area.

In our view, efforts in the context of this draft resolution should be focused on the creation of a stable environment of peace and reconciliation in the Middle East. Israel will continue to dedicate all its efforts to achieving that goal. We call upon our neighbours to do the same.

Mr. Heinsberg (Germany): I would like to explain our vote on the draft decision submitted by Mexico in document A/C.1/59/L.15, concerning the holding of a United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament. Like Mexico, which put forward that draft decision, Germany also sympathizes with the sense of urgency and the disappointment at the slow pace of progress that underlie the proposal to convene a United Nations conference. We reaffirm our determination to contribute to the implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The NPT is a cornerstone of the nuclear non-proliferation regime and an essential foundation for the pursuit of nuclear disarmament.

We particularly stress the need for the full implementation of the 13 practical steps for the systematic and progressive efforts to implement article VI of the NPT, as agreed upon at the 2000 NPT Review Conference. The implementation of those 13 steps requires focused efforts. Nothing should detract from the obligations undertaken by the parties to the NPT. We therefore consider the pursuit of those efforts within the context of the NPT process leading up to the next review conference, in 2005, to be of key importance.

Likewise, we deem it of utmost urgency to overcome the deadlock in the work of the Conference on Disarmament in Geneva. I would like to reiterate that Germany calls for the immediate start of negotiations in the Conference on Disarmament on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein on a non-discriminatory, multilateral and internationally verifiable treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices.

In the light of those priorities, and with a view to not undermining the NPT process and the Conference on Disarmament, which is the single multilateral negotiating forum in the area of disarmament, we do not consider it appropriate at this juncture to convene a United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament. We were therefore not in a position to support draft decisions in this regard in previous years. However, unlike last year, and recognizing the concerns underlying the draft decision, we have decided not to vote against the draft decision this year, but rather to abstain.

The Chairman (*spoke in Spanish*): There are no further speakers in explanation of vote or position. We shall therefore proceed to take action, first, on draft resolutions A/C.1/59/L.8, A/C.1/59/L.29 and A/C.1/59/L.30 and on draft decisions A/C.1/59/L.7 and A/C.1/59/L.15.

I remind members that we will later take action on draft resolutions A/C.1/59/L.6/Rev.1 and A/C.1/59/L.50. We shall now take a decision on draft decision A/C.1/59/L.7. I call on the Secretary of the Committee.

Ms. Stoute (Secretary of the Committee): The Committee will now proceed to take action on draft decision A/C.1/59/L.7, entitled "Establishment of a nuclear-weapon-free zone in Central Asia". The draft decision was introduced by the representative of Uzbekistan at the Committee's 11th meeting, which was held on 19 October 2004. The list of sponsors of the draft decision is contained in document A/C.1/59/L.7.

The Chairman (*spoke in Spanish*): The sponsors of the draft decision have expressed the wish that the draft decision be adopted without a vote.

If I hear no objection, I shall take it that the Committee intends to proceed accordingly.

The draft decision was adopted.

The Chairman (*spoke in Spanish*): The Committee will now proceed to take action on draft resolution A/C.1/59/L.8 on the establishment of a nuclear-weapon-free zone in the region of the Middle East.

I give the floor to the Secretary of the Committee to conduct the voting.

Ms. Stoute (Secretary of the Committee): The Committee will now proceed to take action on draft resolution A/C.1/59/L.8, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

The draft resolution was introduced by the representative of Egypt at the Committee's 11th meeting, on 19 October 2004. The list of sponsors of the draft resolution is contained in document A/C.1/59/L.8.

The Chairman (*spoke in Spanish*): The sponsors of the draft resolution have expressed the wish that the draft resolution be adopted without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/59/L.8 was adopted.

The Chairman (*spoke in Spanish*): The Committee will now proceed to take action on draft decision A/C.1/59/L.15, entitled "United Nations Conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament".

I give the floor to the Secretary of the Committee.

Ms. Stoute (Secretary of the Committee): The Committee will now proceed to take action on draft decision A/C.1/59/L.15, entitled "United Nations Conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament".

The draft decision was introduced by the representative of Mexico at the Committee's 11th meeting, on 19 October 2004. The list of sponsors of the draft decision is contained in document A/C.1/59/L.15.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

France, Israel, Morocco, Poland, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Andorra, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Fiji, Finland, Georgia, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Netherlands, Norway, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu

Draft decision A/C.1/59/L.15 was adopted by 119 votes to 6, with 41 abstentions.

The Chairman (*spoke in Spanish*): The Committee will now proceed to take action on the draft resolution contained in A/C.1/59/L.29, entitled "Convention on the prohibition of the use of nuclear weapons".

I give the floor to the Secretary of the Committee.

Ms. Stoute (Secretary of the Committee): The Committee will now proceed to take action on draft resolution A/C.1/59/L.29, entitled "Convention on the prohibition of the use of nuclear weapons". This draft resolution was introduced by the representative of India at the Committee's 11th meeting, on 19 October. The list of sponsors of the draft is contained in documents A/C.1/59/L.29 and A/C.1/59/INF.2. In addition, Papua New Guinea has now become a sponsor of the draft resolution.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nauru, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Argentina, Armenia, Azerbaijan, Georgia, Japan, Kazakhstan, Kyrgyzstan, Republic of Korea, Republic of Moldova, Russian Federation, Ukraine, Uzbekistan

Draft resolution A/C.1/59/L.29 was adopted by 111 votes to 46, with 12 abstentions.

The Chairman (*spoke in Spanish*): The Committee will now proceed to take action on draft resolution A/C.1/59/L.30, entitled "Reducing nuclear danger".

I give the floor to the Secretary of the Committee to conduct the voting.

Ms. Stoute (Secretary of the Committee): The Committee will now proceed to take action on draft resolution A/C.1/59/L.30, entitled "Reducing nuclear danger". The draft resolution was introduced by the representative of India at the Committee's 11th meeting, held on 19 October 2004. The sponsors of the draft resolution are listed in documents A/C.1/59/L.30 and A/C.1/59/INF.2. In addition, Papua New Guinea has now become a sponsor of the draft resolution.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, Colombia, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nauru, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates,

United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Argentina, Armenia, Azerbaijan, Belarus, China, Ecuador, Georgia, Israel, Japan, Kazakhstan, Kyrgyzstan, Paraguay, Republic of Korea, Republic of Moldova, Ukraine, Uzbekistan

Draft resolution A/C.1/59/L.30 was adopted by 106 votes to 46, with 16 abstentions.

The Chairman (*spoke in Spanish*): We shall now proceed to consider draft resolution A/C.1/59/L.50, entitled "Hague Code of Conduct against Ballistic Missile Proliferation".

I call on the representative of Egypt.

Mr. Issa (Egypt): I will speak in English so as to avoid confusion. I believe that amendments have been submitted to draft resolution A/C.1/59/L.50. Hence, I believe that, under the rules of procedure, we need to wait until they have been printed and circulated.

The Chairman (*spoke in Spanish*): Earlier, I noted that amendments proposed in writing would require 24 hours for translation and circulation, and it was agreed that they would be proposed orally and that action would be taken at this meeting. At the same time, I have ascertained that the sponsors of the draft resolution would not object to a 24-hour delay if this were requested — although here I would ask that any amendments to be submitted in writing be submitted today.

Mr. Issa (Egypt): It had been our understanding that the amendments would be circulated in written form and that no action would be taken on draft resolution A/C.1/59/L.50 today.

The Chairman (*spoke in Spanish*): It is my understanding that it is for the sponsors of a draft resolution to decide whether written amendments are necessary.

Mr. Baeidi-Nejad (Islamic Republic of Iran): Before turning to draft resolution A/C.1/59/L.50, let me note that we had been told that the Secretariat statement on draft resolution A/C.1/59/L.6/Rev.1 would be ready today and that the Committee would be able to take action on that draft resolution at the present meeting. I hope that continues to be the case.

Turning to draft resolution A/C.1/59/L.50, my understanding was the same as that of my colleague from Egypt; when the Chairman spoke earlier about oral amendments, we thought that there might be amendments to be introduced in addition to those that exist in writing. But the sponsors could not coordinate among themselves, because time was short and the point was not very clear. I think the reality is that written amendments to draft resolution A/C.1/59/L.50 exist, and it is very logical that members need to take a look at those amendments, since they have implications. Certainly, we do not see any point in rushing into a decision, because we have time. We should allow delegations to see the amendments, to think about them and to consult their capitals. Then we could have sufficient consultations and discussions. Surely, a decision on the draft resolution could be deferred to a better time, when delegations are ready. So I think it is very logical that we give delegations at least the minimum time frame under the rules of procedure in which to study the amendments first.

The Chairman (*spoke in Spanish*): As for the first point raised by the representative of the Islamic Republic of Iran, relating to draft resolution A/C.1/59/L.6/Rev.1, I can confirm that the Secretariat will be in a position to make its oral statement at this meeting.

With regard to draft resolution A/C.1/59/L.50, my concern was to respect the right of the sponsors to have the 24 hours specified by the rules to familiarize themselves with the amendments. As they agreed not to wait the 24 hours, I asked the Committee, and we proceeded accordingly. But if there is a request — and there was originally no request — on the part of those proposing amendments to wait 24 hours, I believe we

should now hear from the representative of Chile, as the main sponsor of draft resolution A/C.1/59/L.50.

Mr. Maquieira (Chile): I apologize to you, Mr. Chairman, and to my other Spanish-speaking colleagues, but I feel that I should speak in English under these circumstances.

The 114 sponsors came to the decision that draft resolution A/C.1/59/L.50 is not open for amendment, and we are submitting it as it stands for adoption by the First Committee. I repeat: it is not open for amendment. Delegations have the right to submit amendments if they want to do so; sponsors have the privilege of considering whether or not such amendments are appropriate for a draft. But here, there has been a collective decision by the 114 sponsors not to open the draft resolution for amendment.

Therefore, I would kindly request that we proceed to take action on draft resolution A/C.1/59/L.50. If delegations are not prepared to support the text as it stands, they have options when it comes to voting. But, as I said on behalf of the sponsors, the draft resolution is not open for amendment.

Mr. Baeidi-Nejad (Islamic Republic of Iran): With all due respect, I cannot agree with my colleague from Chile that the sponsors have decided that this draft resolution is not open for amendment. It is the Committee that decides whether or not a draft is open for amendment. The sponsors can decide not to change the draft resolution as initially proposed. But then the draft resolution is put to the vote, and the Committee decides whether or not it is open for amendment. If amendments are adopted, the draft resolution has been amended; if they are not, it means that the Committee has decided not to amend the initial draft resolution.

This involves a very basic rule of procedure of the General Assembly. Written amendments have been formally submitted to the Secretariat. I believe the basic principle here is that we want all delegations to be able to consider those amendments. Then, once the minimum time period indicated in the rules of procedure has passed, we will certainly be prepared to take action on draft resolution A/C.1/59/L.50.

The Chairman (*spoke in Spanish*): I should like to indicate very clearly that I broadly agree with the delegations of both Chile and Iran: it is up to the Committee, not to the sponsors, to decide whether or not a draft resolution is to be amended. We agree on that. I am aware of the sponsors' intention not to consider any amendments, but I also believe that there is logic in not postponing consideration of this item — at least not for too long.

In the rules of procedure — the Secretariat can correct me if I am mistaken — a 24-hour period is provided, not for amendments, but for original proposals; amendments can be made in written or oral form until the last minute before a vote. In other words, we are not obligated to wait 24 hours, but we could consider a formal request by the sponsors to wait 24 hours. In that case, I would not only have to put this in the hands of the sponsors, but, in case there was no agreement among the sponsors, I would have to put it to a vote, because, from the perspective of the rules, I repeat: there is no obligation to wait 24 hours for an amendment to be duly translated into the six official languages and published. If I am mistaken, the Secretariat will correct me.

Therefore, I ask members — particularly the delegation of Chile — if there is any objection to granting the 24 hours that the sponsors of the proposals are requesting. I had already introduced a motion that the amendments should be accepted orally; Chile is entitled to reject the request outright.

Mr. Maquieira (Chile) (*spoke in Spanish*): The logical outcome of the sponsors' position on the text is to avoid wasting the Committee's time. Therefore, on behalf of the sponsors, my delegation would prefer that action be taken now on draft resolution A/C.1/59/L.50. Those who do not like the draft resolution have voting options to show their position. But it would be a waste of the Committee's time to wait for amendments that would be rejected by the sponsors 24 hours later. Therefore, I request that we proceed to take a decision on draft resolution A/C.1/59/L.50.

The Chairman (*spoke in Spanish*): I ask the sponsors of the amendments whether they have any objection to our taking a decision today. I take it there is no such objection.

Mr. Issa (Egypt): I listened carefully to the representative of Chile, and I believe that, in addition to the sponsors, the balance of the membership of the Committee needs to have a say with regard to the amendments that have been submitted on draft resolution A/C.1/59/L.50 so that they can take a decision with regard to voting, both on the amendments and on the draft resolution. I believe that

a decision to proceed to a vote would also need to be taken by the Committee if we are to discard the amendments. But, Mr. Chairman, before the First Committee is essentially propelled into such a procedural vote, may I suggest a suspension of the meeting for five minutes?

Mr. Maquieira (Chile) (*spoke in Spanish*): I regret that this seems extremely complex, but actually it is very simple. The only activity in which there is any justification for prolonging agony is bullfighting. If the representative of Egypt wishes to request a motion whereby we would decide whether or not to take action, I accept the introduction of such a motion. If he wishes to proceed to an immediate vote on draft resolution A/C.1/59/L.50, I am also prepared for that. What I do not understand is the objective of suspending the meeting, and I am not in favour of such a suspension.

The Chairman (*spoke in Spanish*): Returning to the rules of procedure, there are two issues before us now on which I think we need to be clear. A vote can take place today. Of that there can be no doubt. I also think it is valid that all delegations should familiarize themselves with the amendments. Many of us, including the Chair, are talking about amendments we have not had a chance to see in black and white. In that regard, I am appealing to members' common sense and asking for the kind of flexibility that the representative of Chile demonstrated so that the Committee can save time.

I will ask members to agree to defer our consideration of this item until first thing tomorrow afternoon, by which time we will have the written version of the amendments. I ask that more in a spirit of conciliation than in conformity with any strict rule. If the representative of Chile wants to insist on our taking a decision, I will put to the vote the motion for a 24-hour postponement of the vote on draft resolution A/C.1/59/L.50 and amendments thereto. Indeed, in approximately 15 minutes we could have the benefit of the presence of the Legal Counsel, who could confirm whether the Chairman has been accurate in his interpretation. But, in order to avoid a procedural vote, I would appeal to delegations to allow us to consider this item tomorrow.

Mr. Köffler (Austria): Mr. Chairman, I tried to listen very carefully when you explained how you wanted to proceed this afternoon. Of course, I listened in Spanish and perhaps I misunderstood you. But I recall that you wanted to consider draft resolution A/C.1/59/L.50 subsequently to action on other draft resolutions. If I understood you correctly, you specifically stated that you intended to proceed to a vote on draft resolution A/C.1/59/L.50 this afternoon.

You further stated that there were amendments forthcoming. I have not seen any as yet — either orally or in writing. You solicited the view of Committee members, which was that, as there were no written amendments yet before the Committee, the Chair should allow amendments to be presented orally. Now is the time to present them orally. If they are not presented orally now, there is no provision for utilizing the 24-hour procedure, because you made it explicit that the voting would take place today.

The Chairman (*spoke in Spanish*): The proposal of the Chair was indeed that the amendments would be presented orally and that we would then proceed to take a decision, to which no delegation objected. Nor did any delegation request a 24-hour postponement of consideration of this item. The subject, however, has come to the fore and so we must resolve it now. The only way to resolve it, if we cannot reconcile our views, is by a vote, and I have urged delegations to try and avoid a vote.

Mr. Baeidi-Nejad (Islamic Republic of Iran): I think that we should agree that there are substantive differences among delegations on draft resolutions with regard to one or more issues. I think we should also take into account that we need to play on a level playing field: everything should be clear and we should not force delegations to move in a certain direction.

I think it is very logical that certain amendments have been submitted in written form and that their sponsors should have the right to ask that delegations take a look at those amendments. We are dealing with a very important question. I do not see any logical justification for preventing delegations from looking at the amendments. Not all delegations are sponsors of draft resolution A/C.1/59/L.50, and they want to see the amendments first and then decide how they should act upon them. I really do not see why we should reject the chance for delegations to see the amendments.

Secondly, Mr. Chairman, you are now asking the sponsors of the amendments to decide on certain issues, including procedural issues. How can we consult among ourselves if we are being rushed to a decision?

Therefore, I agree with my Egyptian colleague that we need at least a five-minute recess so that sponsors can get together and make an appropriate decision. Otherwise, we will be pushed to take a decision that I am not sure is in the best interests of the Committee or in the best interests of the matters that we are addressing in the Committee. We should allow delegations to calmly consider how best to address the issues at hand.

The Chairman: I will now briefly suspend the meeting.

The meeting was suspended at 4.35 p.m. and resumed at 4.55 p.m.

The Chairman (*spoke in Spanish*): As I understand it, the sponsors of the draft resolution and the sponsors of the amendments thereto have not been able to reach an agreement. If there is no agreement among them, the Chairman must strictly apply the rules.

As was pointed out earlier, the 24-hour rule does not favour the amendments' sponsors; following consultations with the Legal Counsel, I confirm that it does not apply. However, I invite the sponsors to present the amendments orally, immediately following which the Committee will take a decision on such amendments and, if need be, on the draft resolution as amended. I would ask that the amendments be presented slowly enough so that all delegations can take written note of the amendments.

I call now on the representative of the Islamic Republic of Iran.

Mr. Baeidi-Nejad (Islamic Republic of Iran): As you, Sir, have taken the decision — which we respect — that amendments are to be put forward orally, I would like, on behalf of the sponsors, to introduce three oral amendments and to ask for a separate vote on each.

First, with regard to the seventh preambular paragraph of draft resolution A/C.1/59/L.50, I would like to introduce some amendments on behalf of the delegations of Egypt, Indonesia, Iran, Malaysia and Pakistan. In the seventh preambular paragraph, the words "development and" should be added before the word "proliferation", and the phrase "in a comprehensive manner" should be added at the end of the paragraph. The seventh preambular paragraph would therefore read as follows:

> "Mindful of the need to combat the development and proliferation of weapons of mass destruction and their means of delivery in a comprehensive manner".

Turning to operative paragraph 1, the word "first" should be inserted before "practical". The paragraph would then read,

> "Welcomes the adoption of the Hague Code of Conduct against Ballistic Missile Proliferation on 25 November 2002 at The Hague as a first practical step against the proliferation of weapons of mass destruction and their means of delivery".

The final amendment would be to paragraph 4, where the words "the United Nations" would be added after "Encourages", and "the exploration of" would be replaced by "to explore". Paragraph 4 would then read:

> "Encourages the United Nations to explore further ways and means to deal effectively with the problem of the proliferation of ballistic missiles capable of delivering weapons of mass destruction".

While I have the floor, I would just like to mention that the amendment to paragraph 1 is taken from the text of the Hague Code of Conduct itself and that the amended version of paragraph 4 is the previous version suggested by the sponsors of draft resolution A/C.1/59/L.50; this was then changed to a new formulation.

The Chairman (*spoke in Spanish*): We shall now take a decision on the amendments orally proposed by the representative of the Islamic Republic of Iran. I call first on the representative of Chile, who wishes to speak in explanation of vote before the voting.

Mr. Maquieira (Chile) (*spoke in Spanish*): I would like to thank the delegations of Iran, Egypt and the other sponsors for having introduced their amendments. However, I must say that in draft resolution A/C.1/59/L.50 there is a delicate conceptual balance, which would be upset by the amendments. For that reason, my delegation is not able to accept those amendments and I would ask the sponsors to also act accordingly.

The Chairman (*spoke in Spanish*): As amendments have been presented that are not acceptable to the sponsors of draft resolution

A/C.1/59/L.50, separate recorded votes on them have been requested.

The Committee will now proceed to take action on amendments to draft resolution A/C.1/59/L.50.

The Committee will first vote on the amendment to the seventh preambular paragraph.

I call on the Secretary of the Committee to conduct the voting on the oral amendment to the seventh preambular paragraph of draft resolution A/C.1/59/L.50.

Ms. Stoute (Secretary of the Committee): The Committee will now take action on the oral amendment proposed by the delegation of the Islamic Republic of Iran to the seventh preambular paragraph of draft resolution A/C.1/59/L.50, entitled "Hague Code of Conduct against Ballistic Missile Proliferation".

The amendment reads as follows: add the words "development and" before the word "proliferation", and add the words "in a comprehensive manner" at the end of the paragraph.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Bangladesh, Bhutan, Brazil, Brunei Darussalam, Cambodia, Cuba, Egypt, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kuwait, Malaysia, Mexico, Pakistan, Syrian Arab Republic, Thailand, Turkmenistan, Viet Nam

Against:

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Canada, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Turkey, Tuvalu, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Zambia, Zimbabwe

Abstaining:

Belarus, Bolivia, Burkina Faso, Mauritius, Nepal, Philippines, Russian Federation, Singapore

The amendment to the seventh preambular paragraph of draft resolution A/C.1/59/L.50 was rejected by 21 votes to 103, with 8 abstentions.

The Chairman (*spoke in Spanish*): The Committee will now take action on the amendment to operative paragraph 1 of draft resolution A/C.1/59/L.50.

I call on the Secretary of the Committee to conduct the voting.

Ms. Stoute (Secretary of the Committee): The Committee will now take action on the oral amendment proposed by the delegation of the Islamic Republic of Iran to operative paragraph 1 of draft resolution A/C.1/59/L.50, entitled "Hague Code of Conduct against Ballistic Missile Proliferation".

The amendment reads as follows: add the word "first" before the word "practical".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Bangladesh, Bhutan, Brazil, Brunei Darussalam, Cuba, Egypt, Indonesia, Iran (Islamic Republic of), Kuwait, Malaysia, Mexico, Pakistan, Qatar, Russian Federation, Syrian Arab Republic, Viet Nam

Against:

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile,

Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Turkey, Tuvalu, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Zambia, Zimbabwe

Abstaining:

Belarus, Bolivia, Burkina Faso, Guinea-Bissau, India, Mauritius, Nepal, Philippines, Singapore, Thailand

The amendment to operative paragraph 1 of draft resolution A/C.1/59/L.50 was rejected by 17 votes to 104, with 10 abstentions.

The Chairman (*spoke in Spanish*): The Committee will now take action on the amendment to operative paragraph 4 of draft resolution A/C.1/59/L.50.

I call on the Secretary of the Committee to conduct the voting.

Ms. Stoute (Secretary of the Committee): The Committee will now take action on the oral amendment proposed by the delegation of the Islamic Republic of Iran to operative paragraph 4 of draft resolution A/C.1/59/L.50, entitled "Hague Code of Conduct against Ballistic Missile Proliferation".

The amendment reads as follows: replace the phrase "encourages the exploration of" with the phrase "encourages the United Nations to explore".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Bangladesh, Bhutan, Brazil, Brunei Darussalam, Cambodia, China, Cuba, Egypt, Haiti, India, Indonesia, Iran (Islamic Republic of), Kuwait, Malaysia, Mexico, Nepal, Pakistan, Qatar, Russian Federation, Sri Lanka, Syrian Arab Republic, Viet Nam

Against:

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Canada, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Turkey, Tuvalu, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Zambia, Zimbabwe

Abstaining:

Bolivia, Burkina Faso, Guinea-Bissau, Mauritius, Singapore, Thailand

The amendment to operative paragraph 4 of draft resolution A/C.1/59/L.50 was rejected by 23 votes to 103, with 6 abstentions.

The Chairman (*spoke in Spanish*): We shall now proceed to the consideration of draft resolution A/C.1/59/L.50 as a whole. I call first on representatives

wishing to speak in explanation of vote before the voting.

Mr. Paranhos (Brazil): Brazil is a member of the Missile Technology Control Regime (MTCR) and follows all its guidelines regarding export, control and transfer of technology. We have observed the growing adherence to the Hague Code of Conduct and we acknowledge that its subscribing States today number 117. We recognize the importance of the issue and the significance of adequate steps to impose discipline with respect to it.

Brazil participated in the initial negotiations of the Code and dissociated itself from them for reasons already explained. The Code does not address Brazilian expectations regarding development of technology towards the peaceful use of outer space, especially regarding programmes concerning satellite launching vehicles. We were disappointed with the downgrading of the Code's cooperation aspects in the final text. Moreover, we were not satisfied with the way negotiations were conducted, as there was not sufficient debate. Many views were not considered at that time.

We have therefore decided to abstain in the vote on draft resolution A/C.1/59/L.50. We expect the international community to continue to work to achieve a non-discriminatory instrument on this matter.

Mr. Gala López (Cuba) (*spoke in Spanish*): My delegation wishes to explain its vote on draft resolution A/C.1/59/L.50. In 2002, Cuba participated actively in two of the meetings on negotiating the International Code of Conduct against Ballistic Missile Proliferation. On that occasion, our delegation indicated our main difficulties on both substantive and procedural matters.

The process of adopting the Code must not be a precedent for future disarmament and non-proliferation negotiations. In our view, there was a lack of transparency in the negotiations leading to adoption because the process took place outside the United Nations framework. It could be observed that the principal promoters of the initiative were not prepared to accept substantive changes to the text.

Consequently, the negotiations resulted in a political instrument that, in our view, does not adequately reflect the main interests of a significant number of countries. For example, the Code of Conduct does not address the question of the peaceful use of missile technology and the need for cooperation in that area, which would respond to the particular interests of developing countries. The Code's focus is limited to horizontal proliferation, while ignoring vertical proliferation. Nor does the Code address the need to achieve the objective of disarmament, in particular nuclear disarmament, given that it is well known that the proliferation of ballistic missiles capable of delivering weapons of mass destruction is only part of the problem.

For the aforementioned reasons, we believe that the Hague Code of Conduct is an instrument that deals in a selective fashion with the issue of missile proliferation. That contrasts with the non-discriminatory, balanced and extensive manner in which the General Assembly has addressed this issue of missiles in all its aspects. Only a few States possess the technology of ballistic missiles capable of delivering weapons of mass destruction. Development, economic growth and crucial progress in telecommunication technology are the objectives of all countries, in particular developing countries. Promoting the technological capacity of those countries must be the counterpart of our effort to curb the proliferation of ballistic missiles capable of delivering weapons of mass destruction.

The transfer of technologies that foster the peaceful development of countries must not be prohibited. What we must prevent is the use of those technologies for military purposes. Economic and social development is not the preserve of a few; it is the patrimony of all humankind.

In the light of those considerations and the fact that the present Code of Conduct is not the product of genuine multilateral negotiations, my delegation will abstain in the vote on draft resolution A/C.1/59/L.50.

Mr. Al-Hassan (Oman): My delegation supports the language of the draft resolution contained in A/C.1/59/L.50 despite the fact that the Code of Conduct was negotiated outside the auspices of the United Nations. Therefore, the negotiations lacked some of the transparency that we in the First Committee all talk about.

Our delegation came to this meeting with the full intention of voting in favour of this text. However, after listening to the intervention made by the representative of Chile on behalf of the sponsors and seeing the lack of flexibility, particularly the lack of a positive response to the appeal of the Chairman for a

24-hour deferral, our delegation has decided not to participate in the voting process, mainly due to the manner in which the sponsors of the draft resolution have decided to carry out procedural matters. Once again, we believe that the draft resolution as it stands is a good text. If the procedural aspect had been carried out amicably, we would have voted in favour of it.

Mr. Prasad (India): While the Indian delegation acknowledges the positive-minded intentions of the sponsors of draft resolution A/C.1/59/L.50, India intends to abstain in the vote because it believes that arms control and disarmament measures should be transparent, equitable and non-discriminatory and that all Member States of the United Nations should be part of the process.

India has suffered from the adverse effects of proliferation, including in the area of missiles, and is determined to maintain its exemplary record in safeguarding its sensitive technologies. Disarmament and non-proliferation must be pursued to create a new system of comprehensive global security, for which the strengthening of the United Nations system is essential.

That objective cannot be served in the best manner possible through exclusivist, ad hoc or club-based approaches but through multilateral engagement and negotiations. An inclusive approach will allow the subject to be dealt with in a comprehensive manner. It will also validate and reinforce the commitment of the larger number of States that would participate in such a process.

Mr. Rachmianto (Indonesia): My delegation intends to abstain in the vote on draft resolution A/C.1/59/L.50 because we still have some concerns on the development of ballistic missiles. We are also of the view that proliferation of missiles will affect positions or principle related to our national security interests. Therefore, we prefer that the issue of missiles be dealt with in a comprehensive manner, under the auspices and in the framework of the United Nations.

Ms. García Guerra (Mexico) (*spoke in Spanish*): The delegation of Mexico has decided to abstain in the vote on draft resolution A/C.1/59/L.50 because we take the view that commitments entered into in the realm of missiles and related technologies must be the product of a process of genuine negotiations and extensive discussions involving all interested States and faithfully reflecting all the concerns of Member States.

Mexico's abstention in no way reflects a refusal to deal with the serious issue of ballistic missile proliferation. Proof of my country's interest in the issue lies in our backing for United Nations efforts to examine the issue of missiles in all its aspects and in our support for the work of the Panel of Governmental Experts that has worked with the Secretary-General.

In my Government's opinion, the Hague Code of Conduct against Ballistic Missile Proliferation does not effectively resolve the problem of ballistic missile proliferation, since it only deals with part of the issue. It does not include the benefits that flow from technology transfer and international cooperation, and it lacks a disarmament approach. Mexico's view is that the Code ignores important considerations and inputs offered by a variety of countries, including Mexico, during the preparatory process prior to its adoption.

Mexico reaffirms its full backing for United Nations efforts in arms control and disarmament. We reaffirm the need for all interested Member States to be openly involved in all phases of the discussion and in the adoption of relevant measures to deal effectively with the issue of missile proliferation in all its aspects.

Mr. Ellahi (Pakistan): Pakistan will abstain in the vote on draft resolution A/C.1/59/L.50. In the meetings held to discuss what was initially called the draft International Code of Conduct against Ballistic Missile Proliferation, Pakistan had stressed that the issue of missiles was complex. It was, therefore, important to address it in a duly constituted multilateral forum so that the views and concerns of all countries could be taken on board.

While we acknowledge that some effort was made to accommodate the concerns of States, the final product, given the ad hoc nature of the forum where the Hague Code of Conduct was negotiated, could not gain the acceptance of several missile possessor States. Since we are a country that is obliged to respond to the missile threat in our region, the Code does not adequately address our security concerns.

Even so, we believe that, had the sponsors of the draft resolution made some effort to negotiate a suitable text for draft resolution A/C.1/59/L.50, the outcome could have been quite different from what it is now expected to be in terms of the division that this draft resolution has created in this body. However, no such effort was made, as illustrated quite vividly this afternoon, and some of the sponsors seemed more

interested in getting the draft resolution adopted rather than promoting the Code. My delegation has therefore decided that it will abstain in the voting on the draft resolution.

The Chairman (*spoke in Spanish*): We shall now take action on draft resolution A/C.1/59/L.50.

I call on the Secretary of the Committee to conduct the voting.

Ms. Stoute (Secretary of the Committee): The Committee will now proceed to take action on draft resolution A/C.1/59/L.50, entitled "Hague Code of Conduct against ballistic missile proliferation." The draft resolution was introduced by the representative of Chile at the Committee's 11th meeting, held on 19 October 2004.

The sponsors of the draft resolution are listed in documents A/C.1/59/L.50, A/C.1/59/INF/2 and A/C.1/59/INF/2/Add.1 and Add.2. In addition, Saint Vincent and the Grenadines and Samoa have now become sponsors of the draft resolution.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Zambia

Against:

Egypt, Iran (Islamic Republic of)

Abstaining:

Algeria, Bangladesh, Bhutan, Brazil, Brunei Darussalam, Cuba, Gambia, India, Indonesia, Malaysia, Mauritius, Mexico, Pakistan, Qatar, Syrian Arab Republic, Tuvalu

Draft resolution A/C.1/59/L.50 was adopted by 137 votes to 2, with 16 abstentions.

The Chairman (*spoke in Spanish*): I am informed by the Secretary of the Committee that an oral statement can now be made on draft resolution A/C.1/59/L.6/Rev.1. We shall therefore take a decision on that draft resolution, after which we will hear speakers in explanation of vote or position on decisions taken under cluster 1, "Nuclear weapons".

I call on the Secretary of the Committee.

Ms. Stoute (Secretary of the Committee): The Committee will now proceed to take action on draft resolution A/C.1/59/L.6/Rev.1, entitled "Missiles".

The draft resolution was introduced by the representative of the Islamic Republic of Iran at the Committee's 11th meeting, held on 19 October 2004. The sponsors of the draft resolution are listed in document A/C.1/59/L.6/Rev.1. There is an oral statement in connection with that draft resolution which, with the Chair's permission, I shall now read out.

> "In connection with draft resolution A/C.1/59/L.6/Rev.1, entitled 'Missiles', I wish to put on record the following statement on financial implications on behalf of the Secretary-General.

"By operative paragraphs 2 and 3 of the draft resolution, the General Assembly would request the Secretary-General to prepare a report with the support of qualified consultants and the United Nations Institute for Disarmament Research, as appropriate, taking into account the views expressed by Member States, to contribute to the United Nations endeavour to address the issue of missiles in all its aspects, by identifying areas where consensus can be reached and to submit it to the General Assembly at its sixty-first session; and also requests the Secretary-General, with the assistance of a panel of governmental experts, to be established in 2007, on the basis of equitable geographical distribution, further to explore further ways and means to address, within the United Nations, the issue of missiles in all its aspects, including identifying areas where consensus can be reached, and to submit a report for the consideration of the General Assembly at its sixty-third session.

"It is envisaged that the activities called for in operative paragraph 2 of the draft resolution would take place in 2006, and that the panel of governmental experts requested in operative paragraph 3 would hold one session in 2007, and two sessions in 2008, of one week each.

"Accordingly, the conference servicing requirements at full cost are estimated in 2008 and 2009 at $345,075. The non-conferencing requirements that would be needed to allow the Department of Disarmament Affairs to provide the necessary substantive support in the preparation of the report and with servicing of the sessions of the proposed panel of governmental experts to be held in New York in 2007 and 2008 is estimated at $158,500 and $327,800 respectively.

"These provisions would be considered in the context of the proposed programme budgets for the biennia 2006-2007 and 2008-2009.

"Therefore, should the General Assembly adopt draft resolution A/C.1/59/L.6/Rev.1, no additional requirements would arise under the programme budget for the biennium 2004-2005."

The Chairman (*spoke in Spanish*): I call on the representative of the United States on a point of order.

Mr. Luages (United States of America): Our delegation would like to know why this information has not been provided to delegations in writing before the vote.

The Chairman (*spoke in Spanish*): With the permission of the representative of the United States, we will proceed to the vote on the draft resolution, and immediately afterwards I will ask the Secretariat to look into the matter and respond to his question.

I give the floor to the Secretary of the Committee to conduct the voting.

Ms. Stoute (Secretary of the Committee): The Committee is voting on draft resolution A/C.1/59/L.6/Rev.1, entitled "Missiles".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Congo, Cuba, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia

Against:

Israel, United States of America

Abstaining:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan

Draft resolution A/C.1/59/L.6/Rev.1 was adopted by 98 votes to 2, with 60 abstentions.

The Chairman (*spoke in Spanish*): I now call on those representatives who wish speak in explanation of vote or position with regard to all draft resolutions and draft decisions under cluster 1.

Mr. Issa (Egypt): I wish to speak in explanation of vote on draft resolution A/C.1/59/L.50. Egypt has supported the active involvement and engagement of the United Nations in addressing the issue of missiles since the issue was introduced in the First Committee five years ago. That position is an expression of our deeply held belief that the United Nations is the appropriate forum in which to address this and all other issues related to questions of international peace and security.

Since receiving the first draft of the Hague Code of Conduct from the Missile Technology Control Regime member States in 2000, we have conveyed our position that there are lacunae in the draft Code — which, regrettably, have not been addressed in the final document, of which we have taken note. They relate to areas of peaceful uses, cooperation and assistance. They also relate, more specifically, to the lack of comprehensive scope of the document, which addresses only the issue of the proliferation of missiles, but not that of their development.

It addresses ballistic missiles, but not cruise missiles, which have been the most common type of missiles in terms of use and proliferation, especially during the past decade. Also, it ignores the most serious problem: that of the continued presence and development of nuclear weapons, of which ballistic missiles are only a means of delivery. In our view, the Hague Code of Conduct does not address the issue of missiles in a balanced manner; nor can it do so without structural adjustments to its text.

By joining our fellow sponsors in submitting amendments to draft resolution A/C.1/59/L.50, we wished to highlight the means to balance the text. Regrettably, we have noted the overwhelming vote against any further United Nations engagement on this issue. We have also noted an overwhelming vote against the need to develop the Code any further. We now acknowledge that there is an overwhelming vote against any further steps.

In our view, this is regrettable, and for that reason we voted against the draft resolution — in other words, because of all the elements I outlined in the first part of my statement relating to the Hague Code of Conduct.

Mr. Gala López (Cuba) (*spoke in Spanish*): Cuba has again voted in favour of a draft resolution on the issue of missiles, which this year is contained in document A/59/L.6/Rev.1. We are convinced that the United Nations is the appropriate multilateral forum for dealing with the issue of missiles in all its aspects — not just paying attention to military issues, but also analysing the peaceful uses to which missiles can be put. This, in turn, is of use with regard to the exploration and peaceful use of outer space for the benefit of humanity.

Cuba is opposed to having measures in the disarmament arena and arms control focus exclusively on non-proliferation. Likewise, we have always insisted that, in addressing the matter of proliferation, we must take into account both its horizontal and its vertical dimensions.

In this context, my delegation supports the idea of establishing, in 2007, on the basis of equitable geographic distribution, a group of governmental experts. In that connection, we are convinced that greater involvement by third world countries in that group of experts will make a positive contribution to the process. Cuba would like to ensure that, in its work, the group of governmental experts not only emphasizes measures to prevent the proliferation of ballistic missiles capable of carrying weapons of mass destruction, but also deals with the issue of high-

precision cruise missiles armed with conventional high-explosive warheads.

Finally, I should like to state that my delegation looks forward with keen interest to the report to be submitted by the Secretary-General under paragraph 2 of the draft resolution.

Mr. Sanders (Netherlands): I have the honour to speak on behalf of the European Union (EU) on draft resolution A/C.1/59/L.6/Rev.1, entitled "Missiles". The candidate countries Bulgaria, Romania, Turkey and Croatia, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and Serbia and Montenegro, and the European Free Trade Association countries Iceland and Norway, members of the European Economic Area, align themselves with this explanation of vote.

The European Union decided to abstain on the draft resolution on missiles, as we did last year. I would like to underline the fact that our abstention must not be regarded as a lack of commitment on this issue. On the contrary, the EU is convinced that the proliferation of ballistic missiles capable of delivering weapons of mass destruction puts at risk the security of all States and peoples. The development, by several countries of concern, of programmes of autonomous capacity in the production of medium- and long-range ballistic missiles capable of delivering weapons of mass destruction, as well as cruise missiles and unmanned aerial vehicles, is a growing cause of concern within the European Union.

The European Union welcomes the International Code of Conduct against Ballistic Missile Proliferation, which was successfully launched in November 2002 in The Hague and which has to date been subscribed to by 117 States. Unfortunately, the draft resolution introduced by Iran does not make any specific reference to the Code.

Last year during the voting process on the draft resolution, the EU stated that we were

> "not convinced that another panel of governmental experts, as proposed by the draft resolution under consideration, to assist in the preparation of a report on the issue of missiles in all its aspects, is an efficient next step". (*A/C.1/58/PV.16, p. 5*)

The EU remains of the opinion that a panel of experts would be meaningful only on the basis of an agreed specific mandate which ensured added value.

We take note of the sponsors' proposal that the Secretary-General produce a report, taking into account the views of Member States, before a new panel is convoked. This shall include views already expressed. It is difficult to imagine that the unchanged mandate of the third panel, which would be established by the draft resolution, will this time lead to a positive outcome in the form of agreed conclusions. However, the EU will approach the issue constructively.

Those are the reasons why the EU is not in a position to support the draft resolution.

Mr. Hu Xiaodi (China) (*spoke in Chinese*): The Chinese delegation voted in favour of draft resolution A/C.1/59/L.50, entitled "Hague Code of Conduct against Ballistic Missile Proliferation". I would like to take this opportunity to explain China's position in that regard.

China agrees with the non-proliferation objectives of the Hague Code of Conduct. China participated in the discussions on the draft code. As some of China's concerns were not resolved during those discussions, China has not subscribed to the Code. However, China will continue to exchange views with all sides, including Hague Code of Conduct subscriber States, in a joint effort to prevent the proliferation of ballistic missiles.

China has always supported non-proliferation and has advocated continuously the strengthening of international non-proliferation efforts through dialogue and cooperation, with universal participation. The role of the United Nations should be fully utilized in that process.

Mr. Alhariri (Syrian Arab Republic) (*spoke in Arabic*): I wish to explain our vote on draft resolution A/C.1/59/L.50, on the Hague Code of Conduct against Ballistic Missile Proliferation. We are fully committed to the United Nations Charter and to the need to work within a multilateral framework, to effectively implement disarmament instruments with a view to achieving general and complete disarmament and ridding the world of all weapons of mass destruction, including nuclear weapons, and their delivery vehicles. We affirm the provisions of Article 51 of the Charter,

which states that we have the right to self-defence in the event of aggression.

My country abstained in the vote on the draft resolution entitled "Hague Code of Conduct against Ballistic Missile Proliferation", contained in document A/C.1/59/L.50, because it is discriminatory and selective. The draft resolution addresses only one category of missiles and does not address other kinds of missiles, because that category of missile is a monopoly of certain countries. The draft resolution deals with the question of proliferation from one particular angle, and does not address the causes of such proliferation. Even more important, the Hague Code of Conduct runs counter to the principle of pluralism, which is the foundation of the United Nations.

The First Committee has adopted draft resolution A/C.1/59/L.6/Rev.1, entitled "Missiles", by which the issue would be studied comprehensively and in depth, without discrimination and selectivity. It offers solutions that are acceptable to all.

Some agreements concluded outside the United Nations have been brought into the United Nations to form part of the set of international instruments. That is detrimental and contrary to non-proliferation and undermines that concept. It also undermines disarmament and runs counter to the non-proliferation machinery.

Mr. Maandi (Algeria) (*spoke in French*): My country devotes special attention to combating the delivery systems of weapons of mass destruction as a complement to reaching the goals of nuclear, biological and chemical disarmament and non-proliferation. We have thus taken the initiative to promote the elimination of those weapons and their delivery systems and have worked faithfully towards the fulfilment of all international obligations in that area.

My delegation was unable to vote in favour of draft resolution A/C.1/59/L.50, entitled "Hague Code of Conduct against Ballistic Missile Proliferation", because the draft resolution was not the subject of discussion with the other members of the Committee and does not take into account amendments intended to include the concept of the vertical proliferation of ballistic missiles and to emphasize the role of the United Nations.

We feel that comprehensive, balanced and non-selective treatment of the issue of missiles must go beyond the fight against horizontal proliferation of those weapons to include other issues that are no less important, such as their design, development, testing and deployment — which are vertical issues.

The fight against the delivery systems of weapons of mass destruction demands that we not ignore and remain silent about cruise missiles and other such weapons which are just as fearsome. Finally, we feel that the natural framework for negotiation and the adoption of instruments in this matter remains the United Nations and that the Disarmament Commission is the only multilateral disarmament and non-proliferation negotiating body.

Mr. Hassan (Sudan) (*spoke in Arabic*): My delegation voted in favour of draft resolution A/C.1/59/L.50 because my country is a party to the Hague Code of Conduct against Ballistic Missile Proliferation and because a majority of the 117 subscribing countries were behind the draft resolution in favour of strengthening action in that area. That does not mean that we should not have been flexible on addressing concerns relating to other issues, specifically those of Egypt and the Islamic Republic of Iran with respect to a brief deferral of consideration of the draft resolution. My delegation would have liked to see the draft resolution adopted later, in order to maintain the spirit of dialogue and consensus in the Committee.

Mr. Baeidi-Nejad (Islamic Republic of Iran): The fact is that my country, by introducing draft resolution A/C.1/59/L.6/Rev.1 to the Committee, has expressed its interest in dealing with the issue of missiles within the United Nations.

Unfortunately, my delegation was forced to vote against draft resolution A/C.1/59/L.50, because it is unprecedented during the First Committee's deliberations for a draft resolution to be introduced and for its sponsors to refuse to even consider or discuss improvements to the text. Key Hague Code of Conduct delegations — in defiance of the interest of other member States that have not subscribed to the Code in engaging, in a good and cooperative spirit, and in having their views reflected in the draft resolution —continuously rejected discussing improvements to the text.

That attitude, as well as their stating in the strongest terms that draft resolution A/C.1/59/L.50 was not open to any kind of modification, is against the spirit of the United Nations, which is a vehicle for

cooperation and collaboration among Member States. It also contradicts the rule of democratic relations among nations.

Draft resolution A/C.1/59/L.50 was drafted behind closed doors and outside the framework of the United Nations, and was brought here only to force delegations to accept it on a take-it-or-leave-it basis. That is not the way the United Nations works, and we hope that this attitude of the key sponsors will change in future exercises.

The Chairman (*spoke in Spanish*): Six speakers in explanation of vote remain on my list. With the agreement of members, and in view of the lateness of the hour, I will call on them tomorrow at the beginning of our meeting. We shall then proceed with the consideration of the other draft resolutions which were to have been considered at this meeting, as contained in informal paper 1.

I would also like to call attention to informal paper 2, which lists a number of draft resolutions on which we presume the Committee will be in a position to take action.

It is very important that the Chair know as soon as possible when there are problems in the consideration of a given draft resolution. I am not going to call a meeting to order — as happened today — almost 40 minutes late because of a general lack of knowledge about whether the Committee would take action on certain draft texts. I think that sponsors of draft resolutions, and delegations intending to introduce amendments should bear in mind the need to inform the Chair of such issues well in advance of a meeting.

The meeting was adjourned at 6.15 p.m.